

**COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**Emergency Ordinance No. O-19-03**  
**Introduced By City Council**  
**Date Introduced January 7, 2019**

**Amendments Adopted**

**Date Adopted January 7, 2019**  
**Date Effective January 7, 2019**

**AN EMERGENCY ORDINANCE concerning**

**SMALL WIRELESS FACILITY ORDINANCE**

**AN EMERGENCY ORDINANCE ESTABLISHING STANDARDS FOR SMALL  
WIRELESS FACILITIES IN THE RIGHTS-OF-WAY IN THE CITY OF SEAT  
PLEASANT, MARYLAND**

WHEREAS, the City of Seat Pleasant, Maryland ("City") desires to encourage wireless infrastructure investment by providing a fair and predictable process for the deployment of small wireless facilities, while enabling the City to promote the management of the rights-of-way in the overall interests of the public health, safety and welfare; and

WHEREAS, the City recognizes that small wireless facilities are critical to delivering wireless access to advanced technology, broadband and 9-1-1 services to homes, businesses, schools within the City; and

WHEREAS, the City recognizes that small wireless facilities, including facilities commonly referred to as small cells and distributed antenna systems, often may be deployed most effectively in the public rights-of-way; and,

WHEREAS, § 5-202 of the Local Government Article of the Annotated Code of Maryland provides that the City of Seat Pleasant has the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, the City is authorized to regulate the construction of new streets, control its rights of way and make provision for construction in the rights of way; and

WHEREAS, the Mayor and City Council determined that it is in the public interest to provide for regulation of the installation of wireless telecommunications facilities in the City's rights of way that is consistent with federal and state law; and

WHEREAS, pursuant to City Code, § 22-13, the City may declare any proposed ordinance to be an emergency ordinance to protect against a danger to the health, safety, or general welfare of the public, which shall become effective on the date specified in the ordinance; and

WHEREAS, given a recent FCC Order regarding wireless telecommunications facilities commonly being referred to as small cells that is due to go into effect on January 14, 2019, the City Council desires to make this Ordinance an Emergency Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Seat Pleasant City Council that The Small Cell Facilities of the City Code of the City of Seat Pleasant shall be amended by adding the following Chapter 70 that will read as follows:

**BY** adding  
Chapter 70 – Small Wireless Facility  
Sections 70-1 through 70-9  
Code of the City of Seat Pleasant  
1994 Edition, as amended

#### **Section 1 – Purpose and Scope**

(A) **Purpose.** The purpose of this Chapter is to establish policies and procedures for the placement of small wireless facilities in right-of-way within the City's jurisdiction, which will provide public benefit consistent with the preservation of the integrity, safe usage, and visual qualities of the City rights-of-way and the City as a whole.

(B) **Intent.** In enacting this Chapter, the City is establishing uniform standards to address the placement of small wireless facilities in the rights-of-way, including without limitation, to:

- (1) prevent interference with the use of streets, sidewalks, alleys, parkways and other public ways and places;
- (2) prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;

(3) prevent interference with the facilities and operations of facilities lawfully located in rights-of-way or public property;

(4) protect against environmental damage, including damage to trees;

(5) preserve the character of the neighborhoods in which facilities are installed; and

(6) facilitate rapid deployment of small cell facilities to provide the benefits of advanced wireless services.

(C) Conflicts with Other Chapters. This Chapter supersedes all Chapters or parts of Chapters adopted prior hereto that are in conflict herewith, to the extent of such conflict.

## **Section 2 - Definitions**

(A) "Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

(B) "Applicable Codes" means uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons to the extent not inconsistent with the terms of this Chapter.

(C) "Applicant" means any person who submits an application and is a wireless provider.

(D) "Application" means a request submitted by an applicant (i) for a Permit to collocate small wireless facilities; or (ii) to approve the installation or modification of a utility pole or wireless support structure.

(E) "City Pole" means (i) a utility pole owned, managed or operated by the City or any subdivision thereof or any instrumentality of the same, including municipal electric utilities, in the rights-of-way, including a utility pole, and (ii) a pole or similar structure owned, managed or operated by the City in the ROW that supports only wireless facilities.

(F) "Collocate" means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole. "Collocation" has a corresponding meaning.

(G) "Day" means calendar day.

(H) "Decorative Pole" means a pole that is specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than a small wireless facility or specially designed informational or directional signage or temporary holiday or special events attachments, have been placed or are permitted.

- (I) "Fee" means a one-time charge.
- (J) "Historic District" means a group of buildings, properties, or sites that are either listed in the National Register or Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register in accordance with Section VI.D.1a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C.
- (K) "Micro Wireless Facility" means a Small Wireless Facility that meets the following qualifications: (i) is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and, (ii) any exterior antenna is no longer than 11 inches
- (L) "Permit" means a written authorization required by the City to perform an action or initiate, continue, or complete a project.
- (M) "Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the City.
- (N) "Rate" means a recurring charge.
- (O) "Rights-of-Way" or "ROW" means the area on, below, or above a public roadway, highway, street, sidewalk, alley, utility easement, or similar property, but not including a federal interstate highway.
- (P) "Small Wireless Facility" means a wireless facility that meets both of the following qualifications: (i) each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and (ii) all other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.
- (Q) "Technically Feasible" that by virtue of engineering or spectrum usage the proposed placement for a small wireless facility, or its design or site location can be implemented without a reduction in the functionality of the small wireless facility.
- (R) "Utility Pole" means a pole or similar structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or similar function, or for collocation of small wireless facilities; provided, such term shall not include wireless support structures or electric transmission structures.

- (S) “Wireless Facility” or “Wireless Telecommunications Facility” means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term does not include: (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) coaxial or fiber-optic cable that is between wireless support structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.
- (T) “Wireless Infrastructure Provider” means any person, including a person authorized to provide telecommunications service in the state, that builds or installs wireless communication transmission equipment, wireless facilities or wireless support structures, but that is not a wireless services provider.
- (U) “Wireless Provider” means a wireless infrastructure provider or a wireless services provider.
- (V) “Wireless Services” means any services, whether at a fixed location or mobile, provided using wireless facilities.
- (W) “Wireless Services Provider” means a person who provides wireless services.
- (X) “Wireless Support Structure” means a structure, such as a monopole; tower, either guyed or self-supporting; billboard; building or other existing or proposed structure designed to support or capable of supporting wireless facilities, other than a structure designed solely for the collocation of small wireless facilities. Such term shall not include a utility pole.

### **Section 3 – Permitted Use; Application and Fees**

- (A) Permitted Use. Collocation of a small wireless facility or a new or modified utility pole for the collocation of a small wireless facility shall be a permitted use subject to the restrictions in Section 5.
- (B) Permit Required. No person shall place a small wireless facility in the rights-of-way, without first filing a small wireless facility application and obtaining a permit therefore, except as otherwise provided in this Chapter.
- (C) Permit Application. All small wireless facility applications for permits filed pursuant to this Chapter shall be on a form, paper or electronic, provided by the City. The applicant may designate portions of its application materials that it reasonably believes contain proprietary or confidential information as “proprietary” or “confidential” by clearly marking each page of such materials accordingly.

- (D) Application Requirements. The small wireless facility permit application shall be made by the wireless provider or its duly authorized representative and shall contain the following:
- (1) The applicant's name, address, telephone number, and e-mail address;
  - (2) The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the applicant with respect to the filing of the application.
  - (3) A complete description of the proposed wireless facility and the work that will be required to install or modify it, including but not limited to detail regarding proposed excavations, if any; detailed site plans showing the location of the wireless telecommunications facility, and specifications for each element of the wireless telecommunications facility, clearly describing the site and all structures and facilities at the site before and after installation or modification; and a description of the distance to the nearest residential dwelling unit and any contributing historical structure within 500 feet of the facility. Before and after 360 degree photo simulations must be provided. The electronic version of an application must be in a standard format that can be easily uploaded on a web page for review by the public. and the purposes and intent of the small wireless facility.
  - (4) An application for modification of an eligible support structure must contain information sufficient to show that the application qualifies under of 47 C.F.R. section 1.40001. The application must relate to an existing wireless telecommunications facility that has been approved by the city pursuant to this article. Before and after 360 degree photo simulations must be provided with detailed specifications demonstrating that the modification does not substantially change the physical dimensions of the existing approved structure.
  - (5) An application for a permit shall be submitted in the format and manner specified by the designated department. Applications must contain all information required herein and any wireless regulations to demonstrate that the applicant is entitled to the permit requested. Applicant must provide any information upon which it relies in support of a claim that denial of the application would prohibit or effectively prohibit the provision of service in violation of federal law, or otherwise violate applicable law. Applicants are not permitted to supplement this showing if doing so would prevent the City from complying with any deadline for action on an application.
  - (6) Proof that notice has been mailed to owners of all property, and the resident manager for any multi-family dwelling unit that includes ten (10) or more units, within 300 feet of the proposed wireless telecommunications facility.
  - (7) A copy of any pole or structure attachment agreement must be provided, as well as sufficient information to determine that the installation can be supported by



and does not exceed the tolerances of the pole or structure.

(8) Payment of any required fees.

(9) Before a permit is issued, concurrent agreement to any required franchise or license agreement must be provided.

E) Routine Maintenance and Replacement. An application may not be required, in the sole discretion of the City on a case-by-case basis, for: (i) routine maintenance; (ii) the replacement of a small wireless facility with another small wireless facility that is substantially similar or the same size or smaller in size and weight, and height; and (iii) the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are strung on cables between existing utility poles, in compliance with the National Electrical Safety Code. The City may, however, require a permit to work within the ROW for such activities, if applicable. Any such permits shall be subject to the requirements provided in subsections C and D. In any event, the City reserves the right to require an application for any work described in this section if it determines it is in the best interest of the health, safety and welfare of the public.

(F) Information Updates. Any amendment to information contained in a permit application shall be submitted in writing to the City within thirty (30) days after the change necessitating the amendment.

(G) Application Fees. Application Fees shall be subject to the following requirements:

(1) Unless otherwise provided by law, all applications for permits pursuant to this Chapter shall be accompanied by a fee for actual, direct, and reasonable costs incurred by the City related to processing the application. Including costs incurred in retaining outside consultants. Applicant shall also pay an access fee. Fees shall be reviewed periodically, and raised or lowered based on costs the city expects to incur.

(2) The application fee for the installation, modification or replacement of a utility pole that is a permitted use in accordance with the specifications in Section 5 shall be established by the City.

(3) An application fee for the installation of a new utility pole associated with a small wireless facility that is not a permitted use in accordance with the specifications in Section 3 shall be established by the City.

(4) In addition to the permit required herein, the placement of a utility pole or wireless facility in the public rights-of-way requires the persons who will control those facilities to obtain the franchises, license agreements and permits required by applicable law, and to comply with applicable law, including, but not limited to, applicable governing radio frequency (RF) emissions.

#### **Section 4 – Permit Applications**

(A) Review of Small Cell Facility Applications.

- (1) The City shall review the application for a small wireless facility permit in light of its conformity with applicable regulations of this Chapter, and shall issue a permit on nondiscriminatory terms and conditions subject to the following requirements:
  - (a) Processing of applications will be processed in conformity with state, local and federal law, as amended. Currently, the FCC has required that such applications be processed within 60 days of receipt of a completed application for facilities that will be collocated on preexisting structures, and 90 days for new construction. If an application is incomplete, it may be rejected for incompleteness. Notices of incompleteness shall be provided in conformity with state, and local and federal law. If such an application is incomplete, it may be rejected by a written order specifying the material omitted from the application, or the City may notify the applicant of the material omitted and provide an opportunity to submit the missing material. The time imposed by federal, state or local law for the processing of an application does not begin to run until an application is complete.
- (2) The City may deny a proposed collocation of a small wireless facility or installation, modification or replacement of a utility pole for the collocation of a small wireless facility that meets the requirements in Section 5 if the proposed small wireless facility:
  - a. Interferes with the safe operation of traffic control equipment as determined by the City;
  - b. Interferes with sight lines or clear zones for transportation or pedestrians as determined by the City;
  - c. Materially interferes with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement;
  - d. Fails to comply with applicable codes; or
  - e. Does not comply with the provisions in this Chapter; or
  - f. Will not be in the best interests of the City as determined by the City; or
  - g. Will alter the aesthetic character of the surrounding community as determined by the City.



## **Section 5 – Small Wireless Facilities in the ROW; Standards; Maximum Height; Other Requirements**

(A) Standards. Wireless facilities shall be installed and modified in a manner that:

- (1) Minimizes risks to public safety, avoids placement of aboveground facilities in underground areas, avoids installation of new support structures or equipment cabinets in the public rights of way, avoids placement in residential areas when commercial areas are reasonably available, and otherwise maintains the integrity and character of the neighborhoods and corridors in which the facilities are located;
- (2) Ensures that installations are subject to periodic review to minimize the intrusion on the rights of way; and
- (3) Ensures that the City bears no risk or liability as a result of the installations, and that such use does not inconvenience the public, interfere with the primary uses of the public rights of way, or hinder the ability of the City or other government agencies to improve, modify, relocate, abandon or vacate the public rights of way or any portion thereof, or to cause the improvement, modification, relocation, vacation or abandonment of facilities in the rights of way.
- (4) Ensures that location of facilities on existing poles or structures is within the tolerance of those poles or structures.
- (5) Does not interfere with the safe operation of traffic control equipment as determined by the City;
- (6) Does not Interfere with sight lines or clear zones for transportation or pedestrians as determined by the City;
- (7) Does not materially interfere with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement;
- (8) Fails to comply with applicable codes; or
- (9) Does not comply with the provisions in this Chapter; or
- (10) Will not be in the best interests of the City as determined by the City; or
- (11) Will alter the aesthetic character of the surrounding community as determined by the City.

(B) Concealment. Permits for wireless facilities shall incorporate specific concealment elements to minimize visual impacts, and design requirements ensuring compliance with all standards for noise emissions. Unless it is determined that another design is less intrusive, or placement is required under applicable law:

- (1) Antennae located at the top of support structures shall be incorporated into the structure, or placed within shrouds of a size such that the antennae appear to be part of the support structure;
- (2) Antennae placed elsewhere on a support structure shall be integrated into the structure, or be designed and placed to minimize visual impacts.
- (3) Radio units or equipment cabinets holding radio units and mounted on a utility pole shall be placed as high as possible on a support structure, located to avoid interfering with, or creating any hazard to, any other use of the public rights of way, and located

on one side of the utility pole. Unless the radio units or equipment cabinets can be concealed by appropriate traffic signage, radio units or equipment cabinets mounted below the communications space on utility poles shall be designed so that the largest dimension is vertical, and the width is such that the radio units or equipment cabinets are minimally visible from the opposite side of the support structure on which they are placed.

- (4) Wiring and cabling shall be neat and concealed within or flush to the support structure, ensuring concealment of these components to the greatest extent possible.
- (5) Ground-mounted equipment associated with a wireless facility shall be permitted only where consistent with the portion of the corridor in which it is to be placed, and may be required to be underground, located in alleys or otherwise shielded. In no event may ground-mounted equipment interfere with pedestrian or vehicular traffic.
- (6) No permit shall be issued or effective unless it is shown that the wireless facility will comply with federal communication commission ("FCC") regulations governing radio frequency ("RF") emissions. Every wireless facility shall at all times comply with applicable FCC regulations governing RF emissions, and failure to comply therewith shall be treated as a material violation of the terms of any permit or lease.
- (7) No wireless support structure shall be permitted in the public rights of way, and no wireless telecommunications facilities shall be permitted above-ground in underground areas; provided that the City may permit placements where all elements of the wireless telecommunications facility are concealed and the facility does not appear to a casual observer to be a wireless telecommunications facility.
- (8) No permit shall issue except to wireless providers with immediate plans for use of the proposed wireless facility; or wireless infrastructure providers with contracts with wireless service providers which require the wireless provider immediately to use the proposed wireless facility.
- (9) Unless appropriately placed, and concealed, so that the size of the facility cannot be increased except with the discretionary approval of the City, no wireless facility is permitted in rights-of-way in alleys.

No wireless telecommunications facility is permitted in any local historic district without the approval of the Prince George's County Historic Preservation Commission.

(C) Maximum Size of Permitted Use. Small wireless facilities, and new or modified utility poles for the collocation of small wireless facilities may be placed in the rights-of-way as a permitted use subject to the following requirements:

- (1) Each new or modified utility pole installed in the rights-of-way shall not exceed the greater of:
  - (a) Ten (10) feet in height above the tallest existing utility pole in the rights-of-way in place as of the effective date of this Chapter located within 500 feet of the new pole in the same rights-of-way; or,

(b) Fifty (50) feet above ground level.

(2) New small wireless facilities in the rights-of-way may not extend: :

(a) More than ten (10) feet above an existing utility pole in the rights-of-way in place as of the effective date of this Chapter; or

(b) Above the height for a new utility pole under Section 5(C)(1).

(B) Zoning. Any wireless provider that seeks to install, modify, operate or replace a utility pole in the rights-of-way that exceeds the height or size limits contained in this section, shall be subject to applicable zoning requirements.

(C) Underground District. In areas designated solely for underground or buried cable and utility facilities, the City may allow replacement of City poles in the designated area. The wireless provider is permitted to seek a waiver of the undergrounding requirements for the placement of a new utility pole to support small wireless facilities.

(D) Historic District. The City may require reasonable, technically feasible, non-discriminatory and technologically neutral design or concealment measures in a Historic District. Any such design or concealment measures may not have the effect of prohibiting any provider's technology; nor may any such measure be considered part of the small wireless facility for purpose of the size restrictions in the definition of small wireless facility.

## **Section 6 – Effect of Permit**

(A) Authority Granted. No Property Right or Other Interest Created. A permit from the City authorizes an applicant to undertake only certain activities in accordance with this Chapter, and does not create a property right or grant authority to the applicant to impinge upon the rights of others who may already have an interest in the rights-of-way.

(B) Permit Duration. A permit granted pursuant to this Section shall be completed within one year of the Permit issuance date unless the City and applicant agree to extend this period due to delay caused by the lack of commercial power or communications facilities. Subject to applicable relocation requirements, the permit is valid for a period of five years, and may be renewed by the City for an equivalent duration so long as the wireless provider is in compliance with the other requirements in this Chapter, and determined to be in the best interests of the City as determined by the City. A permit holder must either remove the wireless telecommunications facility upon expiration (provided that removal of support structure owned by city, a utility, or another entity authorized to maintain a support structure in the right of way need not be removed, but must be restored to its prior condition, except as specifically permitted by the city); or, at least 90 days prior to expiration, must submit an application to renew the permit, which application must demonstrate that the impact of the wireless facility cannot be reduced. The wireless

facility must remain in place until it is acted upon by the City, and any appeals from the city's decision are exhausted.

**Section 7 – Removal, Relocation, Modification or Revocation of Small Wireless Facility in the ROW**

- (A) Notice. Within ninety (90) days following written notice from the City, a wireless provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small wireless facilities within the rights-of-way whenever the City has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the rights-of-way. If the wireless provider fails to protect, support, temporarily or permanently remove, relocate, change or alter the position of any small wireless facilities, the City may take any and all actions necessary to perform the work and charge the wireless provider for the costs associated therewith, including legal fees, if any.
- (B) Emergency Removal or Relocation of Facilities. The City retains the right and privilege to cut or move any small wireless facility located within the rights-of-way of the City, as the City may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the City shall notify the wireless provider and provide the wireless provider an opportunity to move its own facilities prior to cutting or removing a facility and shall notify the wireless provider after cutting or removing a small wireless facility.
- (C) Abandonment of Facilities. Upon abandonment of a small wireless facility within the rights-of-way of the City, the wireless provider shall notify the City within ninety (90) days. Following receipt of such notice the City may direct the wireless provider to remove all or any portion of the small wireless facility if the City, or any of its departments, determines that such removal will be in the best interest of the public health, safety and welfare.
- (D) Damage and Repair. The City may require a wireless provider to repair all damage to the rights-of-way caused by the activities of the wireless provider and return the rights-of-way to its functional equivalence before the damage. If the wireless provider fails to make the repairs within 45 days after written notice, the City may affect those repairs and charge the applicable party the reasonable, documented cost of such repairs.
- (E) Termination in Event of Breach. A permit may be revoked for failure to comply with the conditions of the permit, franchise, license or applicable law. Upon revocation, the wireless telecommunications facility must be removed within 30 days of written notice; provided that removal of support structure owned by city, a utility, or another

entity authorized to maintain a support structure in the right of way need not be removed, but must be restored to its prior condition, except as specifically permitted by the city. All costs incurred by the City in connection with the revocation and removal shall be paid by entities who own or control any part of the wireless.

A wireless facility installed without a permit (except for those exempted by this article) must be removed within 30 days of written notice; provided that removal of support structure owned by city, a utility, or another entity authorized to maintain a support structure in the right of way need not be removed, but must be restored to its prior condition, except as specifically permitted by the city. All costs incurred by the city in connection with the revocation and removal shall be paid by entities who own or control any

#### **Section 8 – ROW Rates**

- (A) Annual Rate. A wireless provider authorized to place small wireless facilities in the rights-of-way shall be required to pay to the City a rate or fee, as established by the City, for the use of the rights-of-way for small wireless facilities or associated utility poles on an annual basis.

#### **Section 9 – Attachment to City Poles in the ROW**

- (A) Collocation on City Poles. Small wireless facilities may be collocated on city poles pursuant to this Chapter. No person will be permitted an exclusive arrangement to attach to City poles.
- (B) Annual Rate. The annual rate for collocation of a small wireless facility on a City pole in the right-of-way shall be determined by the City. Such compensation together with the application fee and the rights-of-way fee specified in this Chapter shall be the sole compensation that the wireless provider shall be required to pay the City.

#### **Section 10 – Effective Date**

This Emergency Ordinance shall take effect immediately after its passage and approval

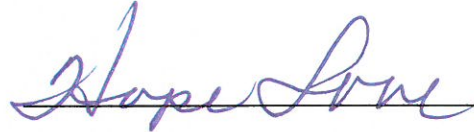
**SECTION 11. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.


**SECTION 12. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL** that, having been approved by the affirmative vote of at least five (5) members of the City Council, the City Clerk shall certify to the adoption of this Emergency Ordinance, and cause the same to be published as required by law; and that this Emergency Ordinance shall become effective upon adoption, subject to veto by the Mayor or passage by the Council after the veto by the Mayor.




COUNCIL OF THE CITY OF SEAT PLEASANT

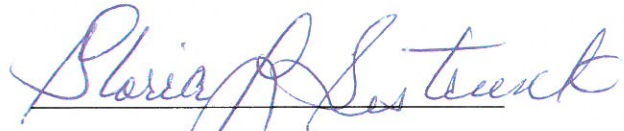
  
Charl Jones, Councilmember

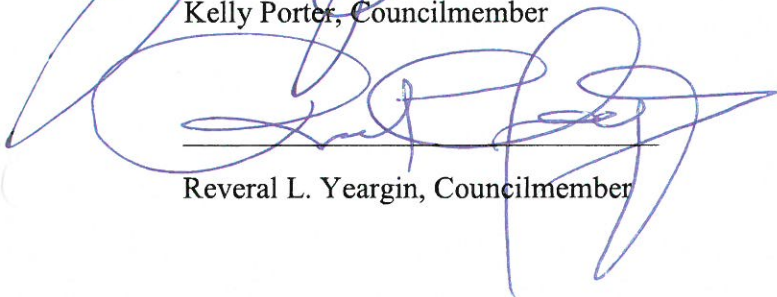
  
Hope Love, Councilmember

  
Lamar Maxwell, Councilmember

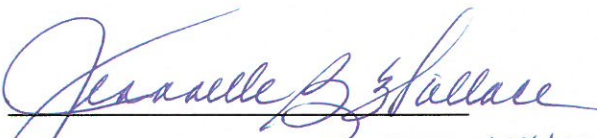
  
Shireka McCarthy, Councilmember

  
Kelly Porter, Councilmember

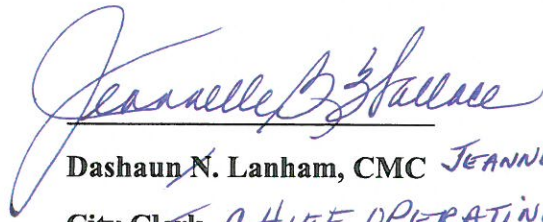
  
Gloria L. Sistrunk, Councilmember

  
Reveral L. Yeargin, Councilmember

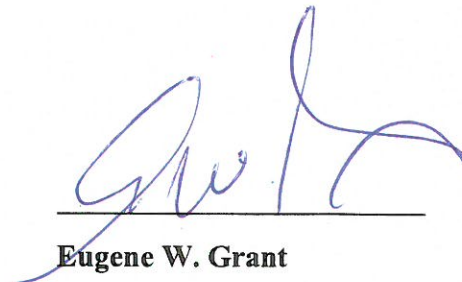
ATTEST:

  
Dashaun N. Lanham, CMC JEANNELLE B. WALLACE  
City Clerk CHIEF OPERATING OPERATOR

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section C-313 of the Charter of the City of Seat Pleasant this 8<sup>th</sup> day of January 2019

  
Dashaun N. Lanham, CMC JEANNELLE B. WALLACE  
City Clerk CHIEF OPERATING OFFICER

In accordance with Section C-313 of the Charter of the City of Seat Pleasant, I hereby Approve or Disapprove this Ordinance this 8<sup>th</sup> day of January, 2019

  
Eugene W. Grant  
Mayor

#### EXPLANATION

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from the bill by amendment or deleted from the law.



